IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY SEVENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 8710 of 2003

Between:

1 Datla Hyma w/o Datla Jayashankara Prasad
R/o 50-25-17/4., T.P.T.Colony., Seethammadhara., Visakhapatnam.
2 Monjam Padmavathi w/o Govinda Rao
R/o Qr.No.S-6., Seethammadhara., Visakhapatnam -13.

... PETITIONERS

AND

1 District Collector,Visakhapatnam Dist., Visakhapatnam.
2 Revenue Divisional Officer, Visakhapatnam.
3 Mandal Revenue Officer, Chinna Gadili Mandal, Visakhapatnam Dist.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not issuing the pattadar pass Books and Title Deeds to the petitioners to an extent of 0.60 cents situated in Sy.No.1/1, Rushikonda Village, China Gadili Mandal, Visakhapatnam District under A.P.Rights in Land Pattadar Pass Books Act, 1971 and rules framed thereunder is arbitrary, illegal, unreasonable and against the Article 300A of the Constitution of India, Consequently direct the respondents to consider the application under Rule 5(1) (b) of the Rules in accordance with the law and pass such other order or orders as this Hon'ble Court deems fit and proper.

Counsel for the Petitioner :M/s. C.KODANDA RAM

Counsel for the Respondent No.: GP FOR REVENUE

The Court made the following :

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ORDER :

Though the interlocutory application being W.P.M.P.No.11228 of 2003 is listed before this Court, the writ petition itself was heard and disposed of finally.

The petitioners claim that they have purchased the land admeasuring Acs.1-57 in Survey No.1/1 of Rushikonda village of China Gadili Mandal, Visakhapatnam District. They made an application under Rule 5(1)(b) of Andhra Pradesh Rights in Land and Pattadar Pass Book Rules, 1989 (for short 'the Rules') seeking to issue Pattadar Pass Books and title, in vain. Therefore, they filed the present writ petition seeking a Writ of Mandamus directing the third respondent to issue Pattadar Pass Books under the Rules.

The relief prayed is for a direction to the third respondent to consider the application. The same is not seriously opposed by the respondents. Therefore, the writ petition is disposed of directing the third respondent to pass appropriate orders on the application made by the petitioners under Rule 5 (1)(b) of Andhra Pradesh Rights in Land and Pattadar Pass Book Rules, 1989, within a period of eight weeks from the date of receipt of a copy of this order.

The writ petition, with the above observations and directions, is disposed of. No costs.

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(V.V.S.RAO, J.)

Dt.27-08-2004.

Msr.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 District Collector,Visakhapatnam Dist., Visakhapatnam.
2 Revenue Divisional Officer, Visakhapatnam.
3 Mandal Revenue Officer, Chinna Gadili Mandal, Visakhapatnam Dist.

4. 2CCs to Government Pleader for Revenue, High Court of A.P., Hyd.

5. 2CD copies

HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.8710 of 2003

Dt.27-08-2004.

(Msr)